

## CLAIM AMENDMENTS

This **listing of claims** will replace all prior versions, and listings, of claims in the application:

1. (**Currently Amended**) A computer implemented method of using a web-site for reducing excess capacity during non-peak demand periods for a restaurant service business that experiences periods of peak demand and periods of non-peak demand for ~~a-service that is offered at a predetermined price~~, the method comprising the steps of:

providing a computer-implemented processing system comprising a plurality of modules;

providing an auction posting module for enabling one or more restaurants businesses to post on the web-site ~~at least one dining incentives item~~ for auction, ~~the dining incentives comprising a first dining incentive having including~~ restrictions comprising valid dates and times for use of the ~~at least one first dining incentive item~~, the restrictions corresponding to a non-peak demand period of a restaurant offering the first dining incentive business to reduce excess capacity of that restaurant business during the non-peak demand period;

providing an auction display module for displaying options to enable users to place ~~bids a bid~~ on dining incentives, ~~including the first dining incentive~~, an item for auction or to purchase the dining incentives item at a fixed ~~prices~~ price independent of the ~~auctions auction~~ without participating in the auctions auction;

processing a request requests for a fixed price purchase of the first dining incentive responsive to purchases upon receipt of a request from a purchaser for a fixed price purchase of the first dining incentive;

processing auction bids, at the conclusion of ~~auctions an auction~~, to determine an auction winners winner for auctioned dining incentives such that responsive to conclusion of an auction of the first dining incentive an auction winner for the first dining incentive is determined items; and

providing the first dining incentive at least one item to the [[a]] purchaser or the auction winner, wherein the first dining incentive item is redeemable for the service from the restaurant offering the first dining incentive a corresponding one of the one or more

businesses during the non-peak demand period for a discount from ~~a~~ the predetermined price, subject to the restrictions, and non-winners and non-purchasers pay the predetermined price without the discount during the non-peak demand period.

2. **(Currently Amended)** The computer implemented method of claim 1 wherein the one or more restaurants businesses set a minimum bids bid for the incentives for dining that they offer at least one item for auction.

3. **(Currently Amended)** The computer implemented method of claim 1 wherein the ~~corresponding one of the one or more~~ restaurants are a plurality of restaurants businesses ~~is a restaurant and the item for auction and purchase is a dining certificate for use at the restaurant and the dining certificate has a redemption amount whereby the winner and the one or more purchasers obtain the dining certificate for an amount less than the redemption amount.~~

4. **(Currently Amended)** The computer implemented method of claim 1 wherein the step of displaying options to enable users to place bids on dining incentives ~~a bid on the item~~ for auction or to purchase the dining incentives item at ~~[[a]]~~ fixed prices price without participating in the auction includes a registration process where each of the one or more users provides ~~at least one or more of~~ identification, demographic and service preference information.

5. **(Currently Amended)** The computer implemented method of claim 1 wherein ~~each of the one or more businesses is a restaurant and the step of enabling one or more~~ restaurants businesses to post dining incentives ~~one or more items for~~ auction includes a registration process where the restaurants provide at least one or more of a restaurant description, meal description or and facilities description.

6. **(Currently Amended)** The computer implemented method of claim 1 wherein ~~each of the one or more businesses is a restaurant and a user can search for~~

one or more auctions of interest by one or more of a restaurant name, cuisine type, location, specified time, or and meal.

7. **(Currently Amended)** The computer implemented method of claim 1 wherein placing a bid on the first dining incentive item for auction includes placing a quantity of the first dining incentive item amount and a bid amount.

8. **(Currently Amended)** The computer implemented method of claim 1 wherein placing a bid on the first dining incentive item for auction includes an auto-bid feature where a user submits a maximum bid amount and a bid increment amount where the bids are automatically incremented to the maximum amount as necessary.

9. **(Currently Amended)** The computer implemented method of claim 1 wherein the one or more restaurants businesses specify the fixed prices price for which a user can buy one of the dining incentives at least one item without participating in the corresponding auction.

10. **(Previously Presented)** The computer implemented method of claim 1 wherein a user can create a personalized auction page where the user creates an auction list comprising a list of one or more auctions of interest and monitors the one or more auctions of interest on the auction list.

11. **(Withdrawn – Previously Presented)** The computer implemented method of claim 1 further comprising the step of rewarding a user for referring one or more new users to the web-site.

12. **(Withdrawn – Previously Presented)** The computer implemented method of claim 1 further comprising the step of rewarding a user for referring one or more new businesses to the web-site.

13. **(Withdrawn – Previously Presented)** The computer implemented method of claim 1 further comprising the step of enabling a user to monitor rewards awarded to the user and redeem the rewards.

14. **(Currently Amended)** The computer implemented method of claim 1 further comprising the step of enabling the one or more restaurants businesses to display an advertisement for an auction at a premium space.

15. **(Previously Presented)** The computer implemented method of claim 1 further comprising the step of displaying a list of current auctions and enabling a user to participate in a current auction.

16. **(Currently Amended)** The computer implemented method of claim 1 wherein the one or more ~~businesses~~ are restaurants and a restaurant guide enables a user to search for one or more restaurants of interest by one or more of cuisine type, location, and price range.

17. **(Withdrawn – Previously Presented)** The computer implemented method of claim 16 further comprising the step of enabling users to post at least one of a community rating and a review of dining experiences at one or more restaurants of interest.

18. **(Withdrawn – Previously Presented)** The computer implemented method of claim 16 further comprising the step of enabling users to view ratings of one or more restaurants of interest posted by other users.

19. **(Withdrawn – Previously Presented)** The computer implemented method of claim 16 further providing a hyper-link to a separate restaurant page containing information regarding a restaurant of interest including one or more of a description of the restaurant, type of food, services, and facilities.

20. **(Withdrawn – Previously Presented)** The computer implemented method of claim 1 further comprising the step of providing a recipe center where users may view recipe and cooking information.

21. **(Withdrawn – Previously Presented)** The computer implemented method of claim 1 further comprising the step of providing a gifts center where users may purchase merchandise.

22. **(Withdrawn – Previously Presented)** The computer implemented method of claim 1 further comprising the step of enabling users to participate in a chat/message board.

23. **(Currently Amended)** The computer implemented method of claim 1 further comprising the step of enabling the one or more restaurants businesses to track and monitor current bids on the one or more items posted by the one or more restaurants businesses.

24. **(Currently Amended)** The computer implemented method of claim 1 further comprising the step of enabling the one or more restaurants businesses to set an auction schedule where a business designates a specified number of items to be auctioned at a specified time period.

25. **(Currently Amended)** The computer implemented method of claim 1 further comprising the step of enabling the one or more restaurants businesses to create a survey for users to complete where users provide one or more of demographic, identification, and service preference information and where the information is used for targeted marketing and promotions.

26. **(Currently Amended)** The computer implemented method of claim 1 wherein bidding data and user information are aggregated and provided to the one or more restaurants to be used businesses and wherein the one or more businesses use

the bidding data and the user information collected for at least one of: targeted marketing or and promotions.

27. **(Previously Presented)** The computer implemented method of claim 26 wherein the user information includes sales history data.

28. **(Currently Amended)** The computer implemented method of claim 1 further comprising the step of enabling users to specify a preferred mode of information delivery from the one or more restaurants businesses including one or more of email, a display at a personalized page on the web-site, and regular mail.

29. **(Currently Amended)** The computer implemented method of claim 1 further comprising the step of providing an account module where the one or more restaurants businesses can monitor a number and type of items sold along with its account status with the web-site.

30. **(Currently Amended)** The computer implemented method of claim 1 further comprising the step of providing the one or more restaurants businesses with a summary page outlining results of an auction for one or more items posted by the one or more restaurants businesses.

31. **(Currently Amended)** The computer implemented method of claim 1 further comprising the step of receiving from the one or more restaurants businesses a report indicating which winners redeemed auctioned items and which of the one or more purchasers redeemed purchased items.

32. **(Previously Presented)** The computer implemented method of claim 1 further comprising the step of enabling the winner and the one or more purchasers to download the item for redemption from the web-site or via electronic mail.

33. **(Previously Presented)** The computer implemented method of claim 1 wherein the winner pays for the item at the time of redemption and any amount over the value of the item.

34. **(Previously Presented)** The computer implemented method of claim 1 wherein the winner pays for the item at the time the winner is declared.

35. **(Currently Amended)** The computer implemented method of claim 1 wherein an electronic certificate is sent to the one or more restaurants businesses and the winner and the one or more purchasers inform the corresponding one of the one or more restaurants businesses of the electronic certificate at a time of redemption.

36. **(Currently Amended)** A computer implemented processing system comprising a plurality of modules for providing a web-site for reducing excess capacity during non-peak demand periods for a restaurant service-business that experiences periods of peak demand and periods of non-peak demand for a service that is offered at a predetermined price, the system comprising:

a restaurant business module configured to enable for enabling one or more restaurants businesses to post on the web-site dining incentives at least one item for auction, the dining incentives comprising a first dining incentive having including restrictions comprising valid dates and times for use of the first dining incentive at least one item, the restrictions corresponding to a non-peak demand period of a restaurant offering the first dining incentive business to reduce excess capacity of that restaurant business during the non-peak demand period;

a user module configured to display for displaying options to enable users to place bids a-bid on dining incentives an item for auction or to purchase the dining incentives item at [[a]] fixed prices price independent of the auctions auction without participating in the auctions auction;

a system processor configured to process a request for processing requests for a fixed price purchase of the first dining incentive responsive to upon receipt of a request from a purchaser for a fixed price purchase of the first dining incentive, and to process

processing auction bids, at the conclusion of an auction, to determine an auction winner for auctioned dining incentives such that responsive to conclusion of an auction of the first dining incentive an auction winner for the first dining incentive is determined items; and

an award module configured to provide for providing the first dining incentive at least one item to the [[a]] purchaser or the auction winner, wherein the first dining incentive item is redeemable for the service from the restaurant offering the first dining incentive a corresponding one of the one or more businesses during the non-peak demand period at a discount from a the predetermined price, subject to the restrictions, and non-winners and non-purchasers pay the predetermined price without the discount during the non-peak demand period.

37. **(Currently Amended)** The system of claim 36 wherein the restaurant module is configured such that the one or more restaurants businesses set [[a]] minimum bids bid for the dining incentives one or more items for auction.

38. **(Currently Amended)** The system of claim 36 wherein the corresponding one of the one or more restaurants are a plurality of restaurants businesses is a restaurant and the item for auction is a dining certificate for use at the restaurant and the dining certificate has a redemption amount whereby the winner and the one or more purchasers obtain the dining certificate for an amount less than the redemption amount.

39. **(Previously Presented)** The system of claim 36 wherein the user module includes a registration module where each of the one or more users provide at least one or more of identification, demographic and service preference information.

40. **(Currently Amended)** The system of claim 36 wherein the each of the one or more businesses is a restaurant and the business module is a restaurant module that includes a registration module configured to receive from where each of the restaurants provide at least one or more of a restaurant description, meal description or and facilities description.



41. **(Currently Amended)** The system of claim 36 wherein ~~the one or more businesses are restaurants and~~ a user can search for one or more auctions of interest by one or more of a restaurant name, cuisine type, location, specified time, and meal.

42. **(Original)** The system of claim 36 wherein the user module includes placing a quantity of item amount and a bid amount.

43. **(Previously Presented)** The system of claim 36 wherein the user module includes an auto-bid feature where a user submits a maximum bid amount and a bid increment amount where bids are automatically incremented to the maximum bid amount.

44. **(Currently Amended)** The system of claim 36 wherein the one or more restaurants businesses specify the fixed price for which a user can buy one of the dining incentives ~~one or more items~~ without participating in the auction.

45. **(Original)** The system of claim 36 wherein a user can create a personalized auction page where the user creates an auction list comprising a list of one or more auctions of interest and monitors the one or more auctions of interest on the auction list.

46. **(Original)** The system of claim 36 further comprising a reward module where a user is rewarded for referring one or more new users to the web-site.

47. **(Original)** The system of claim 36 further comprising a reward module where a user is rewarded for referring one or more new businesses to the web-site.

48. **(Withdrawn – Previously Presented)** The system of claim 36 further comprising a reward monitor module where a user can monitor rewards awarded to the user and redeem the rewards.

49. **(Currently Amended)** The system of claim 36 further comprising an advertisement module where the one or more restaurants businesses can display an advertisement for an auction at a premium space.

50. **(Previously Presented)** The system of claim 36 further comprising a current auction module where a list of current auctions is displayed to a user where the user can participate in a current auction.

51. **(Currently Amended)** The system of claim 36 further comprising a guide module configured to provide wherein the one or more businesses are restaurants and a restaurant guide that enables a user to search for one or more restaurants of interest by one or more of cuisine type, location, and price range.

52. **(Withdrawn)** The system of claim 51 further comprising a ratings module where users can post ratings and reviews of dining experiences at one or more restaurants of interest.

53. **(Withdrawn)** The system of claim 51 further comprising a view ratings module where users can view ratings of one or more restaurants of interest posted by other users.

54. **(Withdrawn)** The system of claim 51 further providing a hyper-link to a separate restaurant page containing information regarding a restaurant of interest including one or more of description of the restaurant, type of food, services, and facilities.

55. **(Withdrawn)** The system of claim 36 further comprising a recipe center where users can view recipe and cooking information.

56. **(Withdrawn)** The system of claim 36 further comprising a gifts center where users can purchase merchandise.

57. **(Withdrawn)** The system of claim 36 further comprising a chat/message board for users to converse with other users and business representatives.

58. **(Currently Amended)** The system of claim 36 further comprising a monitor current bids module where the one or more restaurants businesses can track and monitor current bids on dining incentives items posted by the one or more restaurants businesses.

59. **(Currently Amended)** The system of claim 36 further comprising an auction schedule module where the one or more restaurants businesses can set an auction schedule where the one or more restaurants businesses designate a specified number of dining incentives items to be auctioned at a specified time period.

60. **(Currently Amended)** The system of claim 36 wherein the one or more restaurants businesses can create a survey for users to complete where users provide one or more of demographic, identification, and service performance information where the information is used for targeted marketing and promotions.

61. **(Currently Amended)** The system of claim 36 wherein bidding data and user information are aggregated and provided to the one or more restaurants businesses and wherein the one or more restaurants businesses can use the bidding data and user information collected for targeted marketing and promotions.

62. **(Original)** The system of claim 61 wherein user information includes sales history data.

63. **(Currently Amended)** The system of claim 36 wherein users can specify a preferred mode of information delivery from the one or more restaurants businesses including one or more of email, a display at a personalized page on the web-site, and regular mail.

64. **(Currently Amended)** The system of claim 36 further comprising an account module where the one or more restaurants businesses can monitor a number and type of items sold along with its account status with the web-site.

65. **(Previously Presented)** The system of claim 38 wherein a summary page is provided to the restaurant outlining results of an auction for one or more items posted by the restaurant.

66. **(Currently Amended)** The system of claim 36 wherein a report of attendance indicating which winners and which of the one or more purchasers redeemed items is received from the one or more restaurants businesses.

67. **(Currently Amended)** The system of claim 36 wherein the auction winners winner and the purchasers can download the dining incentive item for redemption from the web-site or receive it via electronic mail.

68. **(Currently Amended)** The system of claim 36 wherein the winner or the purchaser of the first dining incentive pays for the first dining incentive item at the time of redemption and any amount over a redemption the value of the first dining incentive item.

69. **(Currently Amended)** The system of claim 36 wherein the winner of the first dining incentive pays for the first dining incentive item at the time the winner is declared.

70. **(Currently Amended)** The system of claim 36 wherein an electronic certificate is sent to the ~~corresponding one of the one or more~~ restaurant offering the first dining incentive businesses and the winner or the purchaser of the first dining incentive ~~and the one or more purchasers~~ inform the restaurant offering the first dining

incentive corresponding one of the one or more businesses of the certificate at time of redemption.

71. **(Currently Amended)** A computer implemented method for reducing excess capacity during non-peak demand periods for a service business that experiences periods of peak demand and periods of non-peak demand for a service that is offered at a predetermined price, the method comprising the steps of:

providing a computer-implemented processing system comprising a plurality of modules;

providing a web site for enabling one or more businesses to post offers an offer to auction certificates including a first certificate at least one certificate, the first certificate at least one certificate having a predetermined value and being redeemable for services from a corresponding one of the one or more businesses, and including restrictions comprising valid dates and times for use of the first certificate at least one certificate, the restrictions corresponding to a non-peak demand period of the business corresponding to the first certificate a business to reduce excess capacity of that business during the non-peak demand period;

presenting for display displaying options to enable users to place bids a bid on the certificates a certificate for auction or to purchase the certificates certificate at fixed prices a fixed price independent of the auctions auction without participating in the auctions auction;

receiving at the web site requests from purchasers to purchase the first certificate at a fixed price and processing said requests;

receiving at the web site auction bids from bidders for the first certificate, specifying an amount a bidder is willing to pay for the first [[a]] certificate;

determining a winning auction bidder, at the conclusion of the [[an]] auction, for the first auctioned certificate;

providing the first at least one certificate to the purchasers a purchaser and or the winning auction bidder action winner, the first certificate comprising identification of the corresponding business one of the one or more businesses, a the predetermined value of the first certificate, a unique certificate identifier and user identification information,

and ~~being~~ redeemable for service from the corresponding business one or more business during the non-peak demand period for ~~a discount from the~~ predetermined value price, subject to the restrictions, and non-winning bidders and non-purchasers pay a the predetermined price without receiving credit for the predetermined value of the first certificate discount during the non-peak demand period;

providing to the business corresponding to the first certificate one or more businesses a list of winning bidders and purchasers;

receiving from the business corresponding to the first certificate one or more businesses a report indicating which bidders and purchasers have redeemed certificates; and

collecting from the business corresponding to the first certificate one or more businesses a fee, including a fee for first certificates redeemed.

72. **(Currently Amended)** The computer implemented method of claim 71 wherein the ~~one or more businesses are restaurants~~ and the web site enables potential bidders to search for auctions of interest by one or more of a restaurant name, cuisine type, location, specified time, or a and meal.

73. **(Previously Presented)** The computer implemented method of claim 71 wherein the web site comprises one or more featured auctions sections that prominently display certain auctions.

74. **(Currently Amended)** The computer implemented method of claim 73 wherein the step of collecting a fee from the business corresponding to the first certificate one or more businesses comprises collecting a premium fee for featured auctions.

75. **(Previously Presented)** The computer implemented method of claim 72 wherein results of a search retain a list of auctions meeting user specified search criteria and summary information about each auction, where each auction in the list

comprises a hyper-link to a separate web page for that auction, the web page comprising more detailed information about the auction.

76. **(Previously Presented)** The computer implemented method of claim 75 wherein the web site further comprises a bid page from which a user can enter a bid, the bid page comprising a hyper-link to the separate web page for a particular auction.

77. **(Previously Presented)** The computer implemented method of claim 71 wherein the winning bidder pays for the certificate at a time the certificate is redeemed along with a payment for any amount for the service over the value of the certificate.

78. **(Previously Presented)** The computer implemented method of claim 71 wherein the winning bidder pays for the certificate at the time the winning bidder is declared.

79. **(Previously Presented)** The computer implemented method of claim 71 further comprising the step of receiving at the web site and storing profile information from a bidder prior to enabling the bidder to bid on an auction.

80. **(Previously Presented)** The computer implemented method of claim 79 wherein the profile information comprises at least one of a user identification, user contact information and user preference information, and further comprising the step of contacting a user when auctions corresponding to the user preference information are posted.

81. **(Previously Presented)** The computer implemented method of claim 79 further comprising the step of making available to each user for whom profile information is stored a personalized auction information page, the personalized auction page comprising personalized auction lists, auction reward information and current profile information.

82. **(Withdrawn – Previously Presented)** The computer implemented method of claim 71 wherein the web site further comprises a restaurant guide, the method further comprising the step of receiving at the web site restaurant reviews by users.

83. **(Withdrawn – Previously Presented)** The computer implemented method of claim 82 wherein the restaurant guide is searchable and comprises a hyper-link from a search result page to auctions for restaurants listed on the search result page.

84. **(Previously Presented)** The computer implemented method of claim 71, the web site further comprising an auction status listing, the method further comprising the step of displaying current auction status information comprising an auction closing time and bid information including a current bid, a bid increment and a minimum bid.

85. **(Previously Presented)** The computer implemented method of claim 71 wherein the one or more businesses specify the fixed price whereby a user can ensure entitlement to a certificate by paying the fixed amount rather than participating in an auction.

86. **(Previously Presented)** The computer implemented method of claim 71 wherein the web site comprises a proxy bidding system where a bidder can specify a maximum amount the bidder is willing to bid for a certificate and the proxy bidding system will enter bids automatically for the bidder up to the specified maximum.

87. **(Previously Presented)** The computer implemented method of claim 71 further comprising an auction management module for a registered business, the auction management module comprising a listing of the registered business's current auction postings, customer information, and certificate sales history.

88. **(Previously Presented)** The computer implemented method of claim 71 comprising an auction management module, the auction management module enabling



a registered business to create, delete and modify auctions and track current bid information.

89. **(Previously Presented)** The computer implemented method of claim 71 further comprising the step of collecting at the web site information about each bidder that bids on and each purchaser that purchases one or more certificates for a particular business, and providing to the particular business aggregate data on each bidder that bids on and each purchaser that purchases one or more certificates for the particular business, including demographic information, bid frequency and number of redemptions.

90. **(Previously Presented)** The computer implemented method of claim 89 further comprising the step of generating a targeted promotion directed at customers of a particular business based on the aggregate data.

91. **(Previously Presented)** The computer implemented method of claim 87 further comprising the step of analyzing historical sales data to determine average winning bid amounts for certificates having a predetermined value, by a specified time period.

92. **(Previously Presented)** The computer implemented method of claim 91 further comprising the step of using the average winning bid amount and adding a premium to it to determine the fixed price to purchase the certificate without participating in the auction.

93. **(Previously Presented)** The computer implemented method of claim 71 further comprising an account page for each of the one or more businesses that enables a business to view a number and a type of certificates the business has sold, the business's account status with the web site and business profile information.

94. **(Previously Presented)** The computer implemented method of claim 71 wherein the step of posting an offer further comprises enabling a business to enter one or more of an item description, time restriction information, a value, a minimum bid amount, a quantity of certificates, a duration of the auction and a recurrence of the auction.

95. **(Previously Presented)** The computer implemented method of claim 94 further comprising the step of offering to the business one or more options to increase a likelihood that consumers will focus on the business's auction, the options including a boldface title for the auction, a category feature auction and an auction home page feature, and further comprising the step of collecting a premium from the business for using one or more of such options for a given auction.

96. **(Previously Presented)** The computer implemented method of claim 71 further comprising the step of maintaining an auction attendance list, the list comprising, for each auction on the list, an auction identification number, a close date, a retail amount value, time restrictions information, winning bidder information and redemption status information.

97. **(Previously Presented)** The computer implemented method of claim 71 further comprising the step of e-mailing customers notification that an auction has been posted.

98. **(Previously Presented)** The computer implemented method of claim 71 further comprising the step of collecting user profiles at the web site, determining auctions of interest to specified users based on preference information in the users profile and contacting the specified users about auctions corresponding to the specified users preference information.

99. **(Withdrawn – Previously Presented)** The computer implemented method of claim 71 comprising the step of providing an award credit to users that refer one or more businesses to the web site.

100. **(Previously Presented)** The computer implemented method of claim 71 further comprising the step of notifying a losing bidder that an auction that the bidder bid on closed without the bidder being a winning bidder and notifying the bidder of other auctions that correspond to one or more parameters of the auction on which the bidder unsuccessfully bid.

101. **(Withdrawn – Previously Presented)** The computer implemented method of claim 71, the web site further comprising a recipe page to enable users to share recipes.

102. **(Currently Amended)** A computer-implemented processing system comprising a plurality of modules for providing a web site for reducing unused capacity for one or more restaurants businesses during non-peak demand periods, where the one or more restaurants businesses experience periods of peak demands and periods of non-peak demands ~~for a service that is offered at a predetermined price~~, the system comprising:

an auction posting module configured to enable one or more restaurants for enabling a business to post on the web site offers an offer to auction dining incentives comprising a first dining incentive at least one certificate, the first dining incentive at least one certificate having a predetermined value and being redeemable for services from a corresponding one of the one or more restaurants the business, and including restrictions comprising valid dates and times for use of the first dining incentive at least one certificate, the restrictions corresponding to a non-peak demand period of the restaurant corresponding to the first dining incentive a business to reduce excess capacity of that restaurant business during the non-peak demand period;

a user module configured to display for displaying options to enable users to place bids a bid on dining incentives a certificate for auction or to purchase the dining

incentives certificate at fixed prices a fixed-price independent of the auctions auction without participating in the auctions auction;

an instant purchase feature configured to receive ~~for-receiving~~ at the web site requests from purchasers to purchase the first dining incentive certificate at a fixed price;

a bidding module configured to receive ~~for-receiving~~ at the web site auction bids from bidders, specifying an amount a bidder is willing to pay for the first dining incentive a-certificate;

a processor configured to process ~~for-processing~~ requests for fixed price purchases of the first dining incentive upon receipt from such requests from purchasers ~~a user for a fixed-price purchase~~, and determining, at the conclusion of an auction, an auction winning bidder for the first dining incentive certificate;

a certificate issuing module configured to provide ~~for-providing~~ the first dining incentive at least one certificate to the purchasers and a purchaser or the auction winning bidder, the first dining incentive certificate comprising identification of the corresponding restaurant business, the predetermined value of the first dining incentive certificate, valid dates and specified times for use of the first dining incentive certificate, a unique certificate identifier and user identification information, and being redeemable for the service from the corresponding restaurant ~~a corresponding one of the one or more businesses~~ during the non-peak demand period for a discount from a predetermined price corresponding to the predetermined value, subject to the restrictions, and non-winners and non-purchasers pay the predetermined price without the discount during the non-peak demand period;

a listing module for providing to the restaurant corresponding to the first dining incentive business a list of the winning bidder bidders and purchasers;

a report module for receiving from the business a report indicating which the winning bidder bidders and purchasers have redeemed first dining incentives certificates; and

a fee module for collecting from the restaurant corresponding to the first dining incentive business a fee for the first dining incentives certificates redeemed.

103. **(Currently Amended)** The system of claim 102 wherein the ~~business is a restaurant and the~~ web site enables potential bidders to search for auctions of interest by one or more of a restaurant name, cuisine type, location, specified time, or a and meal.

104. **(Original)** The system of claim 102 wherein the web site comprises one or more featured auctions sections that prominently display certain auctions.

105. **(Original)** The system of claim 104 wherein the fee module comprises collecting a premium fee for featured auctions.

106. **(Previously Presented)** The system of claim 105 wherein results of a search retain a list of auctions meeting user specified search criteria and summary information about the auction, where each auction in the list comprises a hyper-link to a separate web page for that auction, the web page comprising more detailed information about the auction.

107. **(Original)** The system of claim 106 wherein the web site further comprises a bid page from which a user can enter a bid, the bid page comprising a hyper-link to the separate web page for a particular auction.

108. **(Currently Amended)** The system of claim 102 wherein the winning bidder pays for the first dining incentive certificate at the time the first dining incentive certificate is redeemed along with a payment for any amount over the predetermined value of the first dining incentive certificate.

109. **(Currently Amended)** The system of claim 102 wherein the winning bidder pays for the first dining incentive certificate at the time the bidder is declared the winning bidder.

110. **(Original)** The system of claim 102 further comprising a profile module for receiving at the web site and storing profile information from a bidder prior to enabling the bidder to bid on an auction.

111. **(Previously Presented)** The system of claim 110 wherein the profile information comprises at least user identification, user contact information and user preference information, further comprising the step of contacting a user when auctions corresponding to the user preference information are posted.

112. **(Original)** The system of claim 110 further comprising a personalized auction page for each user for whom profile information is stored, the personalized auction page comprising personalized auction lists, auction reward information and current profile information.

113. **(Withdrawn)** The system of claim 102 wherein the web site further comprises a restaurant guide, the system further comprising restaurant reviews by users at the web site.

114. **(Withdrawn)** The system of claim 113 wherein the restaurant guide is searchable and comprises a hyper-link from a search result page to auctions for restaurants listed on the search result page.

115. **(Previously Presented)** The system of claim 102, the web site further comprising an auction status listing, the system further comprising a display module for displaying current auction status information comprising an auction closing time and bid information including a current bid, a bid increment and a minimum bid.

116. **(Currently Amended)** The system of claim 102 wherein a restaurant business specifies the fixed amount for purchasing a dining incentive the certificate via the instant purchase feature.

117. **(Currently Amended)** The system of claim 102 wherein the web site comprises a proxy bidding system where a bidder can specify a maximum amount the bidder is willing to bid for a dining incentive certificate and the proxy bidding system will enter bids automatically for the bidder up to the specified maximum.

118. **(Currently Amended)** The system of claim 102 further comprising an auction management module for a registered restaurant business, the auction management module comprising a listing of the registered restaurant's business's current auction postings, customer information, and dining incentive certificate sales history.

119. **(Currently Amended)** The system of claim 102 comprising an auction management module, the auction management module enabling registered restaurants businesses to create, delete and modify auctions and track current bid information.

120. **(Currently Amended)** The system of claim 102 wherein information about each bidder that bids on one or more dining incentives certificates for a particular restaurant business is collected at the web site, and providing to the particular restaurant business aggregate data on each bidder that bids on one or more dining incentives certificates for the particular restaurant business, including demographic information, bid frequency and number of redemptions.

121. **(Currently Amended)** The system of claim 120 wherein a targeted promotion directed at customers of the particular restaurant business based on the aggregate data is generated.

122. **(Currently Amended)** The system of claim 118 wherein historical sales data is analyzed to determine average winning bid amounts for dining incentives certificates having a predetermined value, by a specified time period.

123. **(Currently Amended)** The system of claim 122 wherein a premium is added to the average winning bid amount to determine the fixed price for purchasing the dining incentive certificate via the instant purchase feature.

124. **(Currently Amended)** The system of claim 102 further comprising an account page for each restaurant business to enable a restaurant business to view a number and type of dining incentives certificates the restaurant business has sold, the restaurant's business's account status with the web site and the restaurant's business's profile information.

125. **(Currently Amended)** The system of claim 102 wherein posting an offer further comprises enabling a restaurant business to enter one or more of an incentive item description, time restriction information, a predetermined value, a minimum bid amount, a quantity of a dining incentive to be distributed certificates, a duration of the auction and a recurrence of the auction.

126. **(Currently Amended)** The system of claim 125 wherein the restaurant business is offered one or more options to increase a likelihood that consumers will focus on the restaurant's business's auction, the options including a boldface title for the auction, a category feature auction and an auction home page feature, and further comprising the step of collecting a premium from the restaurant business for using one or more of such options for a given auction.

127. **(Original)** The system of claim 102 further comprising an auction attendance list comprising, for each auction on the list, an auction identification number, a close date, a retail amount value, time restrictions information, winning bidder information and redemption status information.

128. **(Previously Presented)** The system of claim 102 wherein users are notified that an auction has been posted by email.



129. **(Previously Presented)** The system of claim 102 wherein user profiles are collected at the web site, auctions of interest to specified users based on preference information in the user profiles are determined and a user is informed of auctions corresponding to the users preference information.

130. **(Withdrawn)** The system of claim 102 wherein an award credit is provided to users that refer businesses to the web site.

131. **(Previously Presented)** The system of claim 102 further comprising a notification module for notifying a losing bidder that an auction the bidder bid on closed without the bidder being a winning bidder and notifying the bidder of other auctions that correspond to one or more parameters of the auction on which the bidder unsuccessfully bid.

132. **(Withdrawn)** The system of claim 102, the web site further comprising a recipe page to enable users to share recipes.

133. **(Previously Presented)** A computer implemented method of using a web site for reducing excess capacity during non-peak demand periods for restaurants that experience periods of peak demands and periods of non-peak demands for a service that is offered at a predetermined price, the method comprising the steps of:

providing a computer-implemented processing system comprising a plurality of modules;

providing an auction posting module for enabling one or more of the restaurants to post on the web site a listing of at least one discounted gift certificate being offered for sale, including restrictions comprising valid dates and times for use of the at least one discounted gift certificate, the restrictions corresponding to a non-peak demand period of a restaurant to reduce excess capacity of that restaurant during the non-peak demand period; and

providing an auction display module for displaying options to enable users to place a bid on the at least one discounted gift certificate for auction and being

determined a winner, or to purchase the one or more discounted gift certificates at a fixed price independent of the auction via an instant purchase feature without participating in the auction; and

providing the at least one discounted gift certificate to a purchaser or the auction winner, wherein the discounted gift certificates are redeemable for the service from a corresponding one of the one or more restaurants during the non-peak demand period for a discount from the predetermined price, subject to the restrictions.

134. **(Previously Presented)** The method of claim 133 wherein the one or more restaurants set a minimum bid for the one or more discounted gift certificates for auction.

135. **(Cancelled)**

136. **(Previously Presented)** The method of claim 133 wherein the web site includes an auction display feature, the auction display comprising one or more of a name of the restaurant, a description of the at least one discounted gift certificate, including a period of validity and a value, any minimum bid requirement, and a status of the auction, including a current bid and a time left for bidding.

137. **(Previously Presented)** The method of claim 133 wherein the web site includes a certificate display feature, the display comprising one or more of a restaurant name, a description of the at least one discounted gift certificate, a status of any auction for the gift certificate, and, an indication that the instant purchase feature is available and the fixed price.

138. **(Previously Presented)** The method of claim 133 wherein the web site includes an auction display feature, the auction display comprising a restaurant name, a description of the at least one discounted gift certificate, including a period of validity and value, any minimum bid requirement, and a status of the auction, including a current bid and a time left for bidding.

139. **(Previously Presented)** The method of claim 133 wherein a single restaurant may simultaneously offer multiple gift certificates, and the web site includes an auction display feature, the auction display comprising one or more of a restaurant name, a number of gift certificates available, a description of the gift certificates, including a period of validity and a value, any minimum bid requirement, and a status of the auction, including a current bid and a time left for bidding.

140. **(Previously Presented)** The method of claim 133 wherein a single restaurant may simultaneously offer multiple gift certificates, and the web site includes an auction display feature, the auction display comprising a restaurant name, a number of certificates available from the restaurant, a description of the gift certificates, including a period of validity and a value, any minimum bid requirement, and a status of the auction, including a current bid and a time left for bidding.

141. **(Previously Presented)** The method of claim 133 wherein more than one restaurant can offer gift certificates through the same web site, the web site includes an auction display feature, the auction display comprising restaurant names, and for each restaurant, one or more of a description of gift certificates for each restaurant, including a period of validity and a value, any minimum bid requirement, and a status of the auction, including a current bid and a time left for bidding.

142. **(Previously Presented)** The method of claim 133 wherein more than one restaurant can offer gift certificates through the same web site, the web site includes an auction display feature, the auction display comprising names of the more than one restaurant, and for each restaurant, a description of the gift certificates being offered , including a period of validity and a value, any minimum bid requirement, and a status of the auction, including a current bid and a time left for bidding.

143. **(Previously Presented)** The method of claim 133 wherein more than one restaurant can offer gift certificates through the same web site, where each of the more

than one restaurant may simultaneously offer multiple gift certificates, and the web site includes an auction display feature, the auction display comprising names of the more than one restaurant, and for each gift certificate, a number of gift certificates available, a description of the gift certificates, including a period of validity and a value, any minimum bid requirement, and a status of the auction, including a current bid and a time left for bidding.

144. **(Previously Presented)** The method of claim 133 wherein more than one restaurant can offer gift certificates through the same web site, where each restaurant may simultaneously offer multiple gift certificates, and the web site includes an auction display feature, the auction display comprising a restaurant name, and for each gift certificate, a number of gift certificates available, a description of the gift certificates, including a period of validity and a value, any minimum bid requirement, and a status of the auction, including a current bid and a time left for bidding.

145. **(Previously Presented)** The method of claim 133 wherein the user must register with the web site prior to bidding on or purchasing a gift certificate.

146. **(Previously Presented)** The method of claim 133 wherein the user must register with the web site prior to bidding on or purchasing a gift certificate and provide identification information.

147. **(Previously Presented)** The method of claim 133 wherein the user must register with the web site prior to bidding on or purchasing a gift certificate and provide demographic information.

148. **(Previously Presented)** The method of claim 133 wherein the user must register with the web site prior to bidding on or purchasing a gift certificate and provide identification and demographic information.

149. **(Previously Presented)** The method of claim 133 wherein the web site includes a restaurant search module.

150. **(Previously Presented)** The method of claim 133 wherein the web site includes a restaurant search module including an interactive restaurant guide.

151. **(Previously Presented)** The method of claim 133 wherein the web site includes a restaurant search module, the search module enabling a user to search for a restaurant by desired cuisine, zip code or other geographic area parameters or other search parameters.

152. **(Previously Presented)** The method of claim 133 wherein the web site includes a restaurant listing module, wherein the listing module provides a listing of restaurants by cuisine type, zip code or geographic area parameters or other listing parameters.

153. **(Previously Presented)** A computer implemented processing system comprising a plurality of modules for providing a web site for reducing excess capacity during non-peak demand periods for a plurality of restaurants that experience periods of peak demands and non-peak demands for a service that is offered at a predetermined price, the system comprising:

a restaurant search module, the search module enabling a user to search for a discounted restaurant gift certificates by a desired cuisine type, zip code, or geographic area parameter;

a restaurant listing module, the listing module enabling one or more restaurants to post on the web site a listing offering at least one discounted gift certificate for sale according to a cuisine type, zip code, or geographic area parameter, including restrictions comprising valid dates and times for using the at least one discounted gift certificate, the restrictions corresponding to a non-peak demand period of a restaurant to reduce excess capacity of that restaurant during the non-peak demand period;

a display module, the display module displaying for each of the listed restaurants or certificates a restaurant name and a description of the discounted gift certificates being offered, the description including an indication of whether the discounted gift certificates are being offered for auction or for immediate purchase;

an auction module, the auction module enabling the user to place a bid on the discounted gift certificates being offered for auction, wherein the discounted gift certificates offered for auction are sold to a winner of the auction; and

an instant purchase feature that enables the user to immediately buy the at least one discounted gift certificate at a fixed price specified by a corresponding one of the restaurants that is independent of the auction without participating in the auction; and

an certificate issuing module for providing the at least one discounted gift certificate to a purchaser or the auction winner, wherein the discounted gift certificates are redeemable for the service from a corresponding one of the one or more restaurants during the non-peak demand period for a discount from the predetermined price, subject to the restrictions.

154. **(Withdrawn)** A computer-implemented method of facilitating reduction of excess capacity during non-peak demand periods for a plurality of restaurants that experience periods of peak demands and non-peak demands for a service that is offered at a predetermined price, the method being implemented in a computer system comprising one or more processors executing computer program modules, the method comprising:

executing, on the one or more processors of the computer system, one or more computer program modules configured to obtain user profile information from individual users through a website, and to manage user profiles associated with the individual users, the users including a first user associated with a first user profile that includes user profile information obtained from the first user;

executing, on the one or more processors of the computer system, one or more computer program modules configured to obtain restaurant offers to provide service at a discounted price from individual restaurants, the restaurants comprising a first

restaurant, and the restaurant offers comprising a first restaurant offer obtained from the first restaurant, the first restaurant offer specifying (i) times of non-peak demand at the first restaurant for which the first restaurant offer is redeemable, (ii) a cost of the first restaurant offer, (iii) a redemption value of the first restaurant offer, and (iv) and a time period during which the first restaurant offer is available for purchase; and

executing, on the one or more processors of the computer system, one or more computer program modules configured to selectively present the restaurant offers to the users for purchase based on user profile information associated with the users such that responsive to the first user profile including user profile information indicating correspondence between the first user and the first restaurant offer, the first restaurant offer is automatically presented to the first user.

155. **(Withdrawn)** The method of claim 154, wherein the user profile information included in the first user profile includes geographic location information for the first user.

156. **(Withdrawn)** The method of claim 154, further comprising an account module configured to receive payment from the first user for the first restaurant offer, to issue, responsive to reception of such payment, the first restaurant offer to the first user, and to provide a portion of the payment to the first restaurant.